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SUPREME COURT OF ALABAMA

OCTOBER TERM, 2014-2015

1140191

Ex parte R.G.

PETITION FOR WRIT OF CERTIORARI
TO THE COURT OF CIVIL APPEALS

(In re: R.G.

v.

Limestone County Department of Human Resources)

(Limestone Juvenile Court, JU-12-145.02;
Court of Civil Appeals, 2130582)

BRYAN, Justice.

WRIT DENIED. NO OPINION.

1140191

Stuart, Bolin, Parker, Murdock, Shaw, Main, and Wise,
JJ., concur.

Moore, C.J., dissents.

1140191

MOORE, Chief Justice (dissenting).

I respectfully dissent. The Limestone Juvenile Court terminated the parental rights of R.G., the petitioner, who challenges Alabama courts' use of the ore tenus standard of review in termination-of-parental-rights cases. Judge Moore discussed this issue thoroughly in his special concurrence in J.C. v. State Department of Human Resources, 986 So. 2d 1172, 1197-1202 (Ala. Civ. App. 2007) (analyzing Santosky v. Kramer, 455 U.S. 745 (1982), which adopted the clear-and-convincing evidence standard of proof in termination-of-parental-rights cases). Judge Moore concluded that the "constitutional concerns implicated in every termination-of-parental-rights case command stricter scrutiny than the ore tenus rule provides." 986 So. 2d at 1199. I agree with Judge Moore's constitutional concerns about the standard of review in termination-of-parental-rights cases; therefore, I would grant the petition and ask the parties to submit additional briefs regarding the constitutionality of the ore tenus standard of review in such cases.